

GP1638

Box Seg. WPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lara Madison, Gjalt W. Huisman, and Oliver P. Peoples

Serial No.: 09/235,875

Group Art Unit: 1638

Filed: January 22, 1999

Examiner: A. Nelson

For: *TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY (2-HYDROXY
BUTYRATE-CO-3-HYDROXYHEXANOATE)*

Assistant Commissioner for Patents
Washington, D.C. 20231



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**Response to Notice to Comply With Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Amendment
and Declaration under 37 C.F.R. § 1.821 (f)**

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Sir:

Responsive to the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence disclosures mailed on September
15, 1999, in the above-identified application, Applicants enclose a 3 & 1/2" diskette containing a
computer-readable form of the Sequence Listing, as well as a paper copy of the Sequence
Listing. Applicants also enclose a copy of the Notice to Comply with Requirements for Patent
Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Amendment

Also responsive to the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, please amend the
application as follows.

In the Specification

On page 19, line 27, following "RSCP1," please add -- (SEQ ID NO:1)--.

On page 19, line 29, following "RSCP2," please add -- (SEQ ID NO:2)--.

U.S.S.N.: 09/236,875

Filed: January 22, 1999

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On page 20, line 4, following "RD-up," please add -- (SEQ ID NO:3)--.

On page 20, line 6, following "RD-dwn," please add -- (SEQ ID NO:4)--.

On page 20, line 20, following "C7-5'," please add -- (SEQ ID NO:5)--.

On page 20, line 22, following "C7-3'," please add -- (SEQ ID NO:6)--.

On page 22, line 18, following "5' crt," please add -- (SEQ ID NO:7)--.

On page 22, line 21, following "3' crt," please add -- (SEQ ID NO:8)--.

On page 22, line 23, following "5' hbd'," please add -- (SEQ ID NO:9)--.

On page 22, line 26, following "3; hbd," please add -- (SEQ ID NO:10)--.

On page 23, line 3, following "5' bcd," please add -- (SEQ ID NO:11)--.

On page 23, line 6, following "3' bcd'," please add -- (SEQ ID NO:12)--.

On page 23, line 14, following "5' etfBA," please add -- (SEQ ID NO:13)--.

On page 23, line 17, following "3' etfBA," please add -- (SEQ ID NO:14)--.

On page 24, line 10, following "Ac3-5'," please add -- (SEQ ID NO:15)--.

On page 24, line 12, following "Ac3-3'," please add -- (SEQ ID NO:16)--.

Please insert the enclosed seven (7) pages of Sequence Listing at the end of the application following the drawings and Declaration.

Declaration under 37 C.F.R. § 1.821(f)

I declare that the material on the diskette is identical to the enclosed paper copy of the Sequence Listing and the sequences as filed in the application on January 22, 1999, that the Sequence Listing does not add new matter to the application, and that all statements made on information and belief are believed to be true and further that these statements were made with

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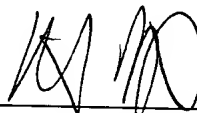
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the knowledge that willful false statements may jeopardize the validity of the application or any
patent issuing thereon.

Respectfully submitted,



Robert A. Hodges
Reg. No. 41,074

Dated: May 26, 2000

ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450
(404) 873-8796
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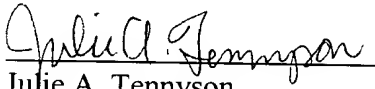
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Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Amendment
and Declaration under 37 C.F.R. § 1.821 (f)

Certificate of Mailing under 37 CFR § 1.8(a)

I hereby certify that this Response to Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Amendment and Declaration under 37 C.F.R. § 1.821 (f), along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: May 26, 2000


Julie A. Tennyson



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/235,875	01/22/99	MADISON	VB MBX020

PATREA L. PABST
ARNALL GOLDEN & GREGORY
2800 ONE ATLANTIC CENTER
1201 WEST PEACHTREE STREET
ATLANTA GA 30309 3450

HMI2/0511



EXAMINER
NELSON, A

ART UNIT	PAPER NUMBER
1638	7

DATE MAILED: 05/11/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

DOCKETED FOR _____
BY J. STINES-HATCHER
DATE 5-23-00

① 6-11-00 Rsp w/0 ext due
② 7-11-00 Rsp w/1 ext
③ 8-11-00 Rsp w/2 ext
④ 9-11-00 Rsp w/3 ext
⑤ 10-11-00 Rsp w/4 ext
⑥ 11-11-00 Rsp w/5 ext

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MAY 15 2000

PATENT DEPT.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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7

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Although a Sequence Listing and CRF was received 5/3/99, the disk was apparently misplaced and never received by STIC. Applicant is kindly requested to refile the CRF.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy J. Nelson whose telephone number is (703) 306-3218. The examiner can normally be reached on Monday-Friday from 8:00 AM - 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached at (703) 308-3909.. The fax phone number for this Group is (703) 308-4242 or (703) 305-3014.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.



**AMY NELSON
PATENT EXAMINER**

Amy J. Nelson

May 10, 2000



Application No.: 09/235,875

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

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